

JacksonLewis

Jackson Lewis P.C.
58 South Service Road, Suite 250
Melville NY 11747
(631) 247-0404 Direct
(631) 247-0417 Fax
jacksonlewis.com

MY DIRECT DIAL IS: 631-247-4661
MY EMAIL ADDRESS IS: NOEL.TRIPP@JACKSONLEWIS.COM

February 17, 2021

VIA ECF

The Honorable Brian M. Cogan
United States District Judge
Eastern District of New York
225 Cadman Plaza East, Rm. 704S
Brooklyn, New York 11201

Re: *Ortega, et al. v. Ernie's Auto Detailing Inc., et al.*
Civil Case No.: 20-cv-3007

Perez, et al. v. Ernie's Auto Detailing Inc., et al.
Civil Case No.: 20-cv-4798

Rosario, et al. v. Ernie's Auto Detailing Inc., et al.
Civil Case No.: 20-cv-3762

Dear Judge Cogan:

As counsel for Defendants Ernie's Detailing, Inc. and Ernesto Decena, we write to provide a status update ahead of the status conference scheduled for February 18, 2021 at 1:00 pm. The parties are in the process of scheduling a consolidated mediation with an EDNY panel mediator in this matter.¹ In light of the Department of Labor's position (*Ortega* Dkt. 42), the parties in the instant matter do not object to continued consolidated proceedings separate from the *Scalia* action, and request that the stay in this matter extend to the contemplated mediation date (if extension should be necessary to achieve that), with the parties to provide a status update to the Court within two business days following completion of mediation.²

We thank the Court for its continued attention to this matter and will be ready to answer the Court's further questions at tomorrow's conference.

Respectfully submitted,

JACKSON LEWIS P.C.

Noel P. Tripp

Noel P. Tripp

NPT:dc

cc: All Counsel of Record (via ECF)
Amy Tai, Esq. (via Electronic Mail)

¹ More specifically, the parties have communicated with two agreed-upon panel mediators, Ray Nardo, Esq. and Marjorie Berman, Esq., and are in the process of trying to finalize a March mediation date.

² The parties respectively reserve all rights relating to consolidation of proceedings beyond mediation.